

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

FORREST MITTENDORF, )  
 )  
Petitioner, )  
 )  
v. ) No. 4:08CV1691 JCH  
 )  
AL LUEBBERS, )  
 )  
Respondent. )

**ORDER OF DISMISSAL**

**IT IS HEREBY ORDERED** that Petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED**. Rule 4 of the Rules Governing § 2254 Cases.

**IT IS FURTHER ORDERED** that the Court will not issue a Certificate of Appealability. 28 U.S.C. § 2253.

Dated this 2nd day of December, 2010.

/s/ Jean C. Hamilton  
UNITED STATES DISTRICT JUDGE